

Summary of Virginia Agricultural BMP Advisory Committee
Augusta Government Center, Verona, VA 24482
December 13, 2007

Attendees:

Robert Bradford	VASWCD Area II	Mark Meador	DCR
Darrell Marshall	VDACS	Gary Moore	DCR
David Kindig	DCR	Libby Norris	CBF
Don Wells	VASWCD Area III	Emily Horsley	FSA
Jim Tate	H/C SWCD	Stephanie Martin	DCR
Ken Carter	NRCS	Sharyl Walker	NRCS
Wayne Turley	Clinch Valley SWCD	Craig Brann	VACDE
Don Drake	VASWCD Area I	Van Gallier	DEQ
Dale Gardner	VA Dairymen's Assoc.	Debbie Cross	DCR
Suzy Friedman	Environmental Defense Center for Conservation Incentives		

The meeting began at 10:00 AM with introductions. Gary Moore led and facilitated the discussion that followed. A summary of discussion topics and the significant conclusions are summarized as follows:

Gary provided an introduction for Suzy Friedman of the Center for Conservation Initiatives, Environmental Defense of Washington, D. C. and relayed her desire to become an official member of the committee as identified in the Ag. BMP manual. The ensuing discussion clarified that committee meetings are open for attendance, and that there currently are no processes in place for modifying committee membership, defining term limits, reappointments or changing committee membership. Further there is no process in place to address new items being submitted for consideration by the committee. A subcommittee was established to initiate discussions on these issues. Gary Moore, and Keith Seward were suggested for the subcommittee; Stephanie Martin volunteered to communicate with Fritz Knapp and Ricky Rash about Area chair responsibilities.

The summary of the October 18, 2007 committee meeting was reviewed, and approved with no additional changes noted.

OLD BUSINESS

Wetland Mitigation/Restoration – Gary Moore presented language revised by Ryan Brown for WQ-6, WQ-6B and overarching language to be included in the **State Environmental Law Compliance** section of the BMP manual. The committee originally approved the inclusion of the language as revised.

Further discussions ensued about VACS participants being approached to include SL-6 and WP-2 practices in stream bank mitigation projects. The committee agreed that so long as the BMP specifications were maintained 35' setback, might mean that fencing might need to be moved after stream bank grading was accomplished so that the BMP could stay in place. If the specifications were not maintained the participant would need to return the cost-share and tax credit according to the existing Practice Failures process. The committee rescinded its approval of the mitigation language and suggested that a

subcommittee of Gary Moore, Libby Norris, Debbie Cross, and Ken Carter schedule a meeting with Ryan Brown to further clarify the cost-share programs positions of double dipping, before and after, Easements, and Trading.

SL-8H Nutrient Applications – Gary Moore presented information from the teleconference with the new practices subcommittee relating to changing the nutrient application language to make it compatible with cover crop definitions of the Chesapeake Bay program so as to be reportable to the bay program. The subcommittee recommended removing the existing nutrient management plan control of nutrient application and substituting the no nutrient language from the SL-8B with a small change that “40 lbs. N per ton tested value” be changed to “40 lbs. N per acre” to make the specification reflect existing nutrient management language and that this change be reflected in the SL-8B, SL-8H and SL-8C practice specifications for program year 2008. The committee supported making these changes.

SL-15A – Jim Tate reported on the recommendations of the SL-15A subcommittee.

- 1) The practice would only pay for lands that were changing to continuous no-till from conventional tillage or other tillage methods.
- 2) Add language to purpose statement to reflect the above change.
- 3) The subcommittee found no inconsistency with the NRCS 329 standard.
- 4) Remove some redundant language.

The committee supported making the recommended changes to the specification, and for inclusion in the 2009 program year.

Report on meetings with Joe Maroon – Gary Moore reported that he and Mark Meador had met with Joe Maroon two different times since the last TAC meeting. Some of the items discussed and Joe’s responses to those items are as follows:

Joe wants to continue targeting BMP implementation to areas that can provide the greatest water quality improvement. He is not opposed to utilizing VACS funds to supplement CREP so long as the expenses are limited. He understood the TACS desire to reimburse farmers for their losses associated with failed cover crops, but would only support a small stipend to offset some of their cost if truly required to keep participation. We discussed permanent VS temporary fence. Existing NRCS fence specifications state that fence should never be set closer to the top of bank than ten (10’) feet. Joe would not oppose the development of a CSP type program to help maintain BMPS after they have been implemented and the life span has expired. The BMP program should stay focused on getting increased implementation of BMPs. Joe suggested that it might be politically expedient to reduce the number of practices that are eligible to receive cost share.

LUNCH

NEW BUSINESS

Process for addressing additional items once the Program of Work has been determined – Gary presented several new issues received for consideration by the TAC. He then began the discussion process on how to address these and any additional issues that may be received since the committee has set the Program of Work. The committee by consensus made the following recommendations:

1. Gary should address items directly already in policy; any issues not addressed by current policy should be brought to the TAC to be addressed
2. Use the VASWCD Ag Committee as a filter.

3. Set a published time frame for issues/suggestions to be considered in a given year.
4. Tag new suggestions on to the end of the Program of Work to be prioritized when the list is reviewed

Gary will write a letter to Mark Palmer, Area V Chair and copy Piedmont SWCD to address their letter. Gary will send by All District email information and guidance concerning the NRCS cost lists as it relates to the AG BMP Cost Share Program.

Gary will write a letter to the Monacan SWCD to address their suggestion.

In response to the email from Hanover-Caroline SWCD/Jim Tate, three of the four items on his email are in progress through the Program of Work. The forth item centered on local SWCD practice variations. The TAC discussed the need for research based modifications to any DCR Practice. The recommendation was to apply for a WQIA grant to analyze and research the environmental benefits associated with suggested practice variations/modifications.

CREP

Gary provided the Summary of the CREP Technical Advisory Committee to the TAC. The CREP TAC would like the AG BMP TAC to develop a new practice that would provide a cost-share enhancement to landowners to fund additional troughs and pipelines within the Chesapeake Bay drainage basin to increase enrollment in CREP. Gary distributed a comparison of an average SL-6 practice and an enhanced CREP CP-22 with additional components. The TAC did agree that the new practice would require a minimum of five acres restoration; require a minimum or a fifty foot buffer; establish a maximum amount (Cap) of state cost-share funds and would extend the water system to any field that lost access to existing water as a result of installing a CREP buffer. This would not be a whole farm system. The TAC supported the concept but recommended that we wait until the 2007 Farm Bill and the CREP program have been resolved by Congress and the President.

AGENCY REPORTS

NRCS – Ken Carter discussed with the group the new Statewide Average Cost List being used by NRCS. The TAC discussed how the cost list could affect the BMP schedule rate and the use of the Estimated Total Cost used by the Cost-Share Program. The TAC recommended that Gary send an email through the All District list to explain the NRCS Cost list, the difference between it's use and the Total Estimated Cost and the how to address the piggy back issue not to exceed the scheduled rate (75%).

VACDE – Craig Brann updated the TAC on the election of new officers and that he had been reappointed to represent the VACDE on the TAC.

VDACS – Darrell Marshall updated the TAC on the increase in Equine complaints.

DCR – Stephanie Martin update the TAC on the CXI project to perform an analysis of the Ag BMP Tracking Program and make recommendations for modernization. Final report is due the middle to end of January. The General Assembly set aside a maximum of \$500,000 for the study and implementation. The study is approximately \$100,000.

Nutrient Management – David Kindig reported that on November 14, 2007 a MOA was signed between DCR and the Poultry Integrators to utilize Phytase in feed for phosphorus reduction in litter. DEQ has filed a NORA to address poultry waste offsite and the end user. The Litter Transfer Program is now underway. Packets of information have been sent out and are available by request. The program will be run out of the Shenandoah Valley Office. Funding is \$200,000 for three years half from DCR, and half from the Poultry Federation. This program can piggy back with the NRCS Program.

FSA – Emily Horsley updated the TAC that CREP expires December 31, 2007. There is no authority to approve any contract after December 31, 2007. All offers and approved contracts must be in place by December 31, 2007. Emily will be sending out correspondence to address the methods for SWCDs to approve Conservation Plans as an interim action and then reviewed and signed at the next SWCD meeting.

FSA will be flying the whole state in 2008 for compliance and will have available color photography and have the option to secure color infrared. FSA is looking for partners to cut the cost of the project.

DEQ – Van Gallier updated the TAC that the loan program has spent approximately 26.2 million in eight years. The program still provides loans for No-Till planters but the criterion has changed. The loan is for the conversion of equipment to No-Till not for the replacement of existing No-Till equipment.

Chesapeake Bay Foundation – Libby Norris reported on the Coalition working for funding for non-point Ag BMPs. The committee will meet again on December 18, 2007 after the Governor's Budget is published.

VASWCD – Don Wells reported that there were two new Chairs in this year's Area Elections. Area III has a new Chairman – Don Bagshaw from the James River SWCD, Area VI has a new Chairman – Keith Seward from the Peanut SWCD.

Concerns from the Floor

The issue of SWCDs not being co-located was addressed and the impact on the tracking program and conservation planning. The total affect will not be known for quite a while.

Next Meeting Date: February 28, 2008 – location has not been determined.

Meeting Adjourned